

### **Remarks/Arguments**

In the Office Action mailed October 30, 2008, claims 14-19, 26, and 33 have been allowed, claims 6-12, 20, 21, 25, 27, 32 and 34 have been rejected and claim 3-5 and 28-31 are objected to. Claims 3-12, 14-21 and 25-33 remain in the application. The Examiners allowance of claims 14-19, 26, and 33 and the allowability of claims 3-5 and 28-31 are appreciated. In view of Applicant's belief that independent claims 25 and 27 are allowable, claims 3-5 and 28-31 have not be rewritten in independent form.

In the Office Action, claims 6-12, 20, 21, 25, 27, 32 and 34 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Sloan U.S. Patent No. 4,971,471.

This rejection is respectfully traversed.

The Sloan '471 reference was applied against these same claims (with the exception of new claims 32 and 34) in the previous Office Action. The Sloan '471 disclosure is set forth on page 11 of the Response and Amendment that was filed on July 7, 2008. For purposes of brevity, Applicants will not repeat this discussion herein and but incorporate that discussion by reference. Independent claims 25 and 27 distinguish over the Sloan '471 reference in calling for "a self-contained thermal storage body. . . adapted to *store* thermal energy *and to release* the stored thermal energy over an extended period of time. . ." (Emphasis added.) The Examiner avers that the disposable plenum 18 or sponge layer 36 is a "thermal storage body" in accordance with the claims. Applicant respectively disagrees with the Examiner's characterization of the plenum 18 or the sponge layer 36 as a "thermal storage body" as that term is used in Applicant's disclosure and claims. Neither of these items is a thermal storage body as that term is used in Applicant's specification and further as understood in ordinary parlance. As set forth in the claims and in the specification, a thermal storage body is one that is adapted to store thermal energy. There is no disclosure in Sloan that the sponge or the plenum is adapted to store thermal energy. Any interpretation of the Sloan patent to call the plenum or sponge a thermal body is a clear misconstruction of the Sloan patent and a misconstruction of Applicants claims 25 and 27. Further, the thermal storage body is said to also be adapted to release the stored thermal energy over an extended period of time. Applicants concede that the Sloan '471 Plenum or sponge can

dissipate thermal energy to the extent that there is any differential temperature between these elements and a surrounding environment. To store energy is one function and to release stored thermal energy is a separate function. Both of these two functions are a requirement of the claimed thermal storage body of claims 25 and 27. Whereas the Sloan plenum or sponge may be able to dissipate whatever thermal energy has been applied to it, it certainly would not be able to store such thermal energy. The unique storage body of Applicant's invention can both store thermal energy and selectively release thermal energy.

A storage body is analogous to a bucket or a container that is able to hold water. It does not dispense any liquid. On the other hand, if there is a spigot associated with the bucket or container, then it would be adapted to dispense the water over a period of time. The Sloan sponge or plenum is not adapted to store anything, it serves as a vehicle to transmit fluid, whether heated or otherwise, from a source of the fluid to a cleaning pad. There is no thermal storage capability in a sponge or in the plenum.

Furthermore, the Sloan '471 plenum and sponge are not self-contained bodies in that they do not by themselves have all of the components which are necessary as to store thermal energy and release stored thermal energy and thus do not fall within the scope of claims 25 and 27 of Applicants claimed invention.

Still further, claims 25 and 27 distinguish over the Sloan '471 reference in calling for at least one component that can undergo an exothermic process to release thermal energy. An exothermic process is a process by which there is a *transformation* in a system that releases heat energy to the surroundings. See Wikipedia. For example, Applicant's specification makes it clear that an exothermic process is a transformation that releases thermal energy. The exothermic process can be a phase change or chemical reaction (paragraph 7) or a liquid phase of a heat active fluid and a solid suspended in a liquid phase (paragraph 11) or can be a gel that includes a water-soluble humectant entrapped within a polymeric matrix (paragraph 30). In addition, the thermal storage body can be a reactant and an activator such as an aqueous sodium acetate solution and a metallic activation strip (paragraph 32), or a mixture of iron powder, water, salt, activated carbon, and vermiculite (paragraph 32). All of these systems have the

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ability to store thermal energy and release the thermal energy when activated by an exothermic process (transformation). This concept is not disclosed in the Sloan '471 reference.

Claims 6, 12, 21, 32 and 34 depend either directly or indirectly from claims 25 or 27 and distinguish over Sloan '471 in the same manner as claims 25 and 27.

In view of the foregoing, it is submitted that claims 6-12, 20, 21, 25, 27, 32 and 34 patently distinguished over the Sloan '471 reference. Reconsideration of the rejection of these claims over the Sloan '471 reference is respectfully requested.

Respectfully submitted,

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